

By Commissioner Rundle

1 A proposal to revise
2 ARTICLE IV, s. 8, Fla. Const.; requiring that a
3 state prisoner serve at least 85 percent of his
4 or her term of imprisonment, unless granted
5 pardon or clemency; prohibiting the reduction
6 of a prisoner's sentence by more than 15
7 percent; requiring that a state prisoner
8 sentenced to life imprisonment be incarcerated
9 for the remainder of his or her natural life,
10 unless granted pardon or clemency.

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12 It is proposed by the Florida Constitution Revision Commission
13 that:

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15 Section 1. Section 8 of Article IV of the Florida
16 Constitution is revised by amending that section to read:

17 ARTICLE IV
18 EXECUTIVE

19 SECTION 8. Clemency.--

20 (a) Except in cases of treason and in cases where
21 impeachment results in conviction, the governor may, by
22 executive order filed with the secretary of state, suspend
23 collection of fines and forfeitures, grant reprieves not
24 exceeding sixty days and, with the approval of three members
25 of the cabinet, grant full or conditional pardons, restore
26 civil rights, commute punishment, and remit fines and
27 forfeitures for offenses.

28 (b) In cases of treason the governor may grant
29 reprieves until adjournment of the regular session of the
30 legislature convening next after the conviction, at which
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1 session the legislature may grant a pardon or further
2 reprieve; otherwise the sentence shall be executed.

3 (c) There may be created by law a parole and probation
4 commission with power to supervise persons on probation and to
5 grant paroles or conditional releases to persons under
6 sentences for crime. The qualifications, method of selection
7 and terms, not to exceed six years, of members of the
8 commission shall be prescribed by law.

9 (d) All state prisoners lawfully sentenced to a term
10 of years shall serve at least eighty-five percent of their
11 term of imprisonment, unless granted pardon or clemency.
12 Parole, conditional release, or any mechanism of sentence
13 reduction may reduce the term of years sentence by no more
14 than fifteen percent. State prisoners sentenced to life
15 imprisonment shall be incarcerated for the rest of their
16 natural lives, unless granted pardon or clemency.